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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/426,143 | 10/22/1999 | JOHN WAINWRIGHT | 49658-034 | 1474 |

7590 05/17/2004

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EXAMINER

HARRISON, CHANTE E

| ART UNIT | PAPER NUMBER |
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2672

18

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/426,143

Applicant(s)

WAINWRIGHT, JOHN

Examiner

Chante Harrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/29/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-14,16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: Amendment C, filed on 4/29/04.

This action is made FINAL.

2. Claims 1-3, 5-14, 16-22 are pending in the case. Claims 1, 8, 12, and 18 are independent claims. Claims 4 and 15 have been cancelled. Claims 21 and 22 have been added.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 5-14, 16-22 are rejected under 35 U.S.C. 102(e) as being anticipated by John Merrill et al., U.S. Publication 62002/0008703 A1, 1/2002.

As per independent claim 1, Merrill discloses detecting that a statement contains an operation identifier, pattern-matching criteria, and attribute identifier...(pp. 13, Para 168-169; pp. 19, Para 324-327), and executing the statement by identifying said set of graphical components associated with identifiers that satisfy pattern matching criteria (pp. 20, Para 340), performing the operation on the attribute of each graphical component in the set of graphical components that satisfy said pattern matching criteria (pp.7, Para 87-88; pp. 20, Para 341), altering state information corresponding to each graphical component in said set of graphical components to generate a frame within an animation (pp. 21, Pare 352, 356, 358, 361). Merrill inherently discloses a statement that is executed by identifying identifiers and performing operations on the object as he specifically discloses processing a script that identifies an agent object (i.e. operation identifier) having an associated property (i.e. attribute identifier) and outputs the behavior (i.e. operation) of the object as specified by the script command. The citation in Merrill's disclosure corresponding to the claim feature, executing a statement by identifying all objects associated with identifiers, is interpreted as having one object identified as associated with identifiers out of all possible objects.

As per dependent claim 2, Merrill discloses a first character string containing a wild card character and that specifies pattern-matching criteria (pp. 10, Para 128, 129; pp. 13, Para 156 "Clients...access...animation...using...agent object's interface"; pp. 13, Para 169) and that specifies pattern-matching criteria (pp. 20, Para 340).

As per dependent claim 3, Merrill discloses the first string of characters as part of a second string of characters and the second string of characters including an attribute identifier in a format that conforms to object-dot notation (pp. 19, Para 324).

As per dependent claim 5, Merrill discloses a scripting language (col. 10, ll. 50-60) and a script processor (pp. 1, Para 11; Fig. 12).

As per dependent claim 6, Merrill discloses the script processor is part of a CAD system and the step of identifying is performed by identifying the set of graphical components within said CAD system that are associated with an identifier that matches said pattern matching criteria (abstract).

As per dependent claim 7, Merrill discloses the statement containing pattern matching criteria for a hierarchical identifier (pp. 11, Para 142).

As per independent claim 8, Merrill discloses identifying an attribute of a member of a collection of graphical components (pp. 23, Para 419). Claim 8 claims a method as claimed in claim 1, therefore the rationale applied in the rejection of claim 1 applies herein.

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As per dependent claims 9 and 19, Merrill discloses a collection of graphical components is an array (pp. 11, Para 141).

As per dependent claims 10 and 20, Merrill discloses said collection of graphical components (i.e. container objects) includes all instances of a native type (i.e. object properties) of graphical components...(pp. 12, Para 144, Para 150).

As per dependent claim 11, Merrill discloses said native type (i.e. property) is a map type of graphical components, wherein a map type defines a surface (pp. 9-10, Para 119) "COM interfaces allow the...system to obtain information about the character in general...they provide access to all of the character's properties..." (pp. 11, Para 140 "A property is an attribute, such as a color..."). Merrill inherently discloses a map type of graphical component as he teaches properties having different types (pp. 11, Para 141), and defining all object attributes including color, which represents the color of the animated object surface.

As per independent claim 12, Merrill discloses computer readable medium (pp. 23, Para 420) for performing the method claim 1. Therefore the rationale applied in the rejection of claim 1 applies herein.

As per dependent claims 13-14 and 16-17, refer to the above rejections as applied to claims 2-3 and 5-6, respectively.

As per independent claim 18, Merrill discloses computer readable medium (pp. 23, Para 420) for performing the method claim 8. Therefore the rationale applied in the rejection of claim 8 applies herein.

As per dependent claims 21 and 22, Merrill discloses changing the value of another attribute, the other attributes not associated with the identifiers that satisfy said pattern matching criteria (i.e. the action/change of value corresponding to an animated action of one object is controlled/manipulated to result in the synchronization of that object with the graphical component altered as a result of the pattern matching criteria) (pp. 21, Para 356-358).

Response to Arguments

3. Applicant's arguments filed 4/29/04 have been fully considered but they are not persuasive.

Applicant argues Merrill does not teach performing said operation on said attribute of each graphical component in said set of graphical components that satisfy said pattern matching criteria.

In reply, Merrill teaches using scripts (i.e. pattern matching criteria) to manipulate animations (pp. 21, Para 350), where the scripts are in any one of a multiple forms (pp. 19, Para 325-327). The forms designate an agent (i.e. operation identifier), which describes the operation to be performed on the property/attribute of the identified object/graphical component in a set/class of objects/graphical components (pp. 11, Para 136, 140; pp. 13, Para 156). Merrill also teaches performing the operation on the object by using control methods to define the output behavior of an object referenced by an agent (p. 20, Para 341). Thus, Merrill teaches performing an operation on the attribute of the graphical component that satisfies the pattern matching criteria.

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Applicant argues Merrill does not teach altering state information corresponding to each graphical component in said set of graphical components to generate a frame within an animation.

In reply, Merrill discloses an animation system that supports interactive animations (pp. 20, Para 343). Merrill also teaches updating the position or state of each animation independently (pp. 21, Para 352). Merrill additionally discloses handling application requests for scheduling of animated actions for synchronization with other animations and playback, which results in the generation of a synchronized frame within an animation having the desired user interaction (pp. 21, Para 356, 358, 361). Thus, Merrill teaches altering state information, thereby causing the animation object/graphical component to move/change, to generate a frame within an animation.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chante Harrison
Examiner
Art Unit 2672



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

May 10, 2004